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5		TEC DICTRICT COLUDT
6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
8	DAVIMOND E DEVITON	Coso No. 1:21 ov 00740 DAD EDG (DC)
9	RAYMOND E. PEYTON,	Case No. 1:21-cv-00740-DAD-EPG (PC) ORDER VACATING FINDING AND
10	Plaintiff,	RECOMMENDATIONS ISSUED ON JULY 30, 2021
11	v. B. CATES,	(ECF No. 7)
12	Defendant.	ORDER DIRECTING CLERK TO DOCKET
13	Defendant.	FIRST AMENDED COMPLAINT (ECF No. 12, pgs. 5-50)
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16	Raymond Peyton ("Plaintiff") is a state prisoner proceeding pro se in this civil rights	
17	action filed pursuant to 42 U.S.C. § 1983.	
18	On July 30, 2021, the Court entered findings and recommendations, recommending that	
19	this action be dismissed. (ECF No. 7). After receiving a filing from Plaintiff, the Court noted	
20	that it would vacate the findings and recommendations if Plaintiff refiled his First Amended	
21	Complaint. (ECF No. 9, p. 2 n. 2).	
22	On August 11, 2021, Plaintiff filed his objections, along with a copy of his First Amended	
23	Complaint. ¹ As Plaintiff filed a copy of his First Amended Complaint, the Court will vacate the	
24	findings and recommendations entered on July 30, 2021, and will screen Plaintiff's First	
25	In his chiestions Disintiff requests on invest	igntion as to whom his First Amandad Complaint "may have
26	¹ In his objections Plaintiff requests an investigation as to where his First Amended Complaint "may have disappeared." (ECF No. 12, p. 2). Plaintiff has not cited to any legal authority requiring the Court to order an investigation, and the Court does not see a reason to order an investigation at this time. The Court notes that it has received other filings from Plaintiff, including these objections and his re-filed First Amended Complaint.	
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28	Accordingly, Plaintiff's request for an investigation is	
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1	Amended Complaint in due course.	
2	Accordingly, IT IS ORDERED that:	
3	1. The findings and recommendations entered on July 30, 2021 (ECF No. 7), are	
4	VACATED; and	
5	2. The Clerk of Court is directed to docket Plaintiff's First Amended Complaint	
6	(ECF No. 12, pgs. 5-50).	
7	IT IS SO OPPEDED	
8	IT IS SO ORDERED.	
9	Dated: August 12, 2021 /s/ Encir P. Shorp	
10	UNITED STATES MAGISTRATE JUDGE	
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